

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

SHOUN RANDOLPH

(b) County of Residence of First Listed Plaintiff Philadelphia
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Olugbenga O. Abiona, ABIOLA LAW PLLC,
215-625-0330, P. O. Box 3326, Cherry Hill, NJ 08034

DEFENDANTS

SUPERPAC, INC., LISA FABER

County of Residence of First Listed Defendant Philadelphia

(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

<input type="checkbox"/> 1 U.S. Government Plaintiff	<input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)
<input type="checkbox"/> 2 U.S. Government Defendant	<input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF	PTF	DEF	
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	PERSONAL INJURY	PERSONAL INJURY	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 422 Appeal 28 USC 158
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability		<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability		<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability			<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine			<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 345 Marine Product Liability			<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 370 Other Fraud		<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle	<input type="checkbox"/> 371 Truth in Lending		<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage		<input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692)
<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 385 Property Damage Product Liability		<input type="checkbox"/> 485 Telephone Consumer Protection Act
<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice			<input type="checkbox"/> 490 Cable/Sat TV
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS		PROPERTY RIGHTS
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 440 Other Civil Rights	Habeas Corpus:	<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 835 Patent - Abbreviated New Drug Application
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input checked="" type="checkbox"/> 442 Employment	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 840 Defend Trade Secrets Act of 2016	<input type="checkbox"/> 880 Other Statutory Actions
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 530 General		<input type="checkbox"/> 890 Other Statutory Actions
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 535 Death Penalty		<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	Other:	<input type="checkbox"/> 893 Environmental Matters	
	<input type="checkbox"/> 448 Education	<input type="checkbox"/> 540 Mandamus & Other	<input type="checkbox"/> 895 Freedom of Information Act	
		<input type="checkbox"/> 550 Civil Rights		
		<input type="checkbox"/> 555 Prison Condition		
		<input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement		
				SOCIAL SECURITY
				<input type="checkbox"/> 861 HIA (1395ff)
				<input type="checkbox"/> 862 Black Lung (923)
				<input type="checkbox"/> 863 DIWC/DIWW (405(g))
				<input type="checkbox"/> 864 SSID Title XVI
				<input type="checkbox"/> 865 RSI (405(g))
				FEDERAL TAX SUITS
				<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
				<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609

V. ORIGIN (Place an "X" in One Box Only)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from Another District (specify)	<input type="checkbox"/> 6 Multidistrict Litigation - Transfer	<input type="checkbox"/> 8 Multidistrict Litigation - Direct File
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Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42 U.S.C. Section 2000e-et seq.

Brief description of cause:
Race Discriminatory Termination of Employment

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

May 2/2022

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

DESIGNATION FORM

(to be used by counsel or pro se plaintiff to indicate the category of the case for the purpose of assignment to the appropriate calendar)

Address of Plaintiff: _____

Philadelphia, PA

Address of Defendant: _____

1220 Industrial Boulevard, Southampton, PA 18966

Place of Accident, Incident or Transaction: _____

Philadelphia, PA

RELATED CASE, IF ANY:

Case Number: _____ Judge: _____ Date Terminated: _____

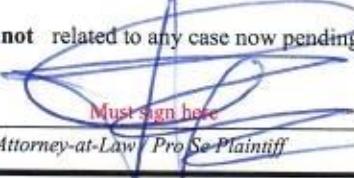
Civil cases are deemed related when **Yes** is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? Yes No

2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court? Yes No

3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action of this court? Yes No

4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual? Yes No

I certify that, to my knowledge, the within case is / is not related to any case now pending or within one year previously terminated action in this court except as noted above.DATE: May 2, 2022  Must sign here
Attorney-at-Law / Pro Se Plaintiff

57026

Attorney I.D. # (if applicable)

CIVIL: (Place a ✓ in one category only)

A. Federal Question Cases:

1. Indemnity Contract, Marine Contract, and All Other Contracts
 2. FELA
 3. Jones Act-Personal Injury
 4. Antitrust
 5. Patent
 6. Labor-Management Relations
 7. Civil Rights
 8. Habeas Corpus
 9. Securities Act(s) Cases
 10. Social Security Review Cases
 11. All other Federal Question Cases
(Please specify): _____

B. Diversity Jurisdiction Cases:

1. Insurance Contract and Other Contracts
 2. Airplane Personal Injury
 3. Assault, Defamation
 4. Marine Personal Injury
 5. Motor Vehicle Personal Injury
 6. Other Personal Injury (Please specify): _____
 7. Products Liability
 8. Products Liability – Asbestos
 9. All other Diversity Cases
(Please specify): _____

ARBITRATION CERTIFICATION

(The effect of this certification is to remove the case from eligibility for arbitration.)

I, Olugbenga O. Abiona, Esq., counsel of record or pro se plaintiff, do hereby certify: Pursuant to Local Civil Rule 53.2, § 3(c) (2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs: Relief other than monetary damages is sought.DATE: May 2, 2022  Sign here if applicable
Attorney-at-Law / Pro Se Plaintiff

57026

Attorney I.D. # (if applicable)

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

	: CIVIL ACTION No.
SHOUN RANDOLPH	:
Plaintiff,	:
vs.	:
	:
SUPERPAC, INC.	:
LISA FABER	:
Defendants	:

COMPLAINT AND JURY DEMAND

I. INTRODUCTION

1. Plaintiff in the above captioned matter, claims a sum in excess of One Hundred Thousand Dollars (\$100,000.00) in damages and upon his causes of action, avers as follows:
2. This action for monetary damages and other appropriate relief is brought by Plaintiff to redress violations by Defendants SuperPac, Inc. (hereinafter "Superpac"), and Lisa Faber, (hereinafter ("Faber"), rights secured to Plaintiff by the laws of the United States of America and the Commonwealth of Pennsylvania.
3. This action arises under the Civil Rights Act 42 U.S.C. 2000e-*et seq.*, (Title VII), Civil Rights Act, 42 U.S.C. §1981, which prohibit discrimination on the bases of race, and retaliation by employers and any person because of complaints of race discrimination, and is brought by Plaintiff to redress arbitrary, malicious,

reckless, improper, unlawful, willful, and deliberate discrimination and retaliation by Defendants. This action also arises under the Americans with Disability Act (ADA).

4. This action also arises under the PHRA which prohibits discrimination on the bases of race, and retaliation by employers and any person because of complaints of race discrimination, and is brought by Plaintiff to redress arbitrary, malicious, reckless, improper, unlawful, willful and deliberate discrimination and retaliation by Defendants. Plaintiff has exhausted his administrative remedies under Title VII and the PHRA as it has been over one year since he dual filed his administrative complaints with the EEOC and PHRC, and on February 15, 2022, the EEOC issued Plaintiff his right to sue notice. See copy attached hereto.

II. JURISDICTION, VENUE AND PARTIES

5. The jurisdiction of this Court is invoked pursuant to Title 28 U.S.C. 1331, which provides for the original jurisdiction of Plaintiff's claims arising under the laws of the United States of America. This Court also has supplemental jurisdiction over Plaintiff's state law claims.

6. The venue of this Court is proper pursuant to the dictates of Title 28 U.S.C. 1391(c).

8. Plaintiff, Shoun Randolph, is an adult individual, residing at 4936 North Broad Street, Apt. 2, Philadelphia, PA, and belongs to the protected class under the applicable statutes in this case. Plaintiff is a black African-American male by race.

9. Defendant, Superpac is a business entity, registered to operate in the Commonwealth of Pennsylvania, with its business offices located at 1220 Industrial Boulevard, Southampton, PA 18966.

10. Defendant Faber, Caucasian, is a citizen of the United States and upon information and belief currently resides within the Commonwealth of Pennsylvania.

III. BRIEF STATEMENT OF FACTS

11. On or about April 30, 2020, Superpac hired Plaintiff as a Janitor.

12. Superpac assigned Plaintiff to its 3 p.m. to 11 p.m. shift, and assigned another Janitor, Jeffrey Supendgen, (hereinafter “Supendgen”) Caucasian male, to its 7 a.m. to 3 p.m. shift.

13. On or about October 19, 2020, Plaintiff started noticing that employee(s) were stuffing the toilets in the Men’s Bathroom, with brown paper towels during his shift. Plaintiff reported these observations to his Supervisor, Dan Holdsworth, (Caucasian male). Mr. Holdsworth told Plaintiff that he will report the incident to Superpac’s Human Resources, but did not get back to Plaintiff about Superpac’s response.

14. On or about November 1, 2020, Plaintiff reported to Mr. Holdsworth about continued stuffing of the toilets with paper towels and now, someone urinating on the floor in the locker room, and that these activities only happened during Plaintiff's shift. Plaintiff also reported these incidents to the Night time Supervisor, Alberto Burgos (Hispanic Male).

15. Plaintiff complained to these supervisors that he felt this despicable conduct was happening only during his shift and not during Suspendgen's shift and that it is racially motivated because Plaintiff is black and Suspendgen is white.

16. Mr. Holdsworth told Plaintiff that he would take it to Superpac's H.R., but Plaintiff received no immediate response from Mr. Holdsworth or Superpac's H.R.

17. Plaintiff is a person with disability under the ADA, with a history of cardiovascular disease.

18. Between November 14 and December 10, 2020, Plaintiff went out on Short Term Disability leave for stress related illness. Plaintiff's blood pressure was highly elevated, and had to go through a battery of tests in the hospital.

19. Plaintiff returned to work on part-time basis on December 10, 2020, and full-time on December 21, 2020.

20. On or about January 12, 2021, Plaintiff reported to another his Supervisor, Jeremy Pasternak (Caucasian male), that Plaintiff's co-worker, Suspendgen was not doing his work and leaving work for Plaintiff to do, and that Suspendgen would tell

Plaintiff, "Hey Shoun, I left some work for you to do". Plaintiff told Superpac that other co-workers would tell Plaintiff that they would wait for Plaintiff to report to work to clean the bathrooms because Suspendgen wasn't cleaning the bathrooms.

21. Mr. Pasternak told Plaintiff to report these incidents to Superpac's Human Resources, but he did not think Superpac would take any action.

22. On or about January 13, 2021, Plaintiff complained to Superpac's H.R. Manager, Lisa Faber, about Suspendgen's failure to clean the bathrooms and leaving work for Plaintiff to do, and the stuffing of paper towels in the toilets, urinating on the floor by one or more employees, and the fact that he felt these conducts were racially motivated.

23. However, Defendants never took any remedial action against Suspendgen, nor with regards to Plaintiff's complain that he was being subjected to race discriminatory actions with regards to how he was being treated as compared to Suspendgen and the hostile work environment he was experiencing.

24. Faber told Plaintiff that Suspendgen "was slow minded and was a project from their church".

25. Faber told Plaintiff that she couldn't do anything about the employees' behavior in the bathrooms and locker room because Superpac could not place surveillance cameras inside those locations, and thus took no remedial action with regards to Plaintiff's complaint.

26. Faber also refused to change Plaintiff's shift, and these outrageous behaviors continued only during Plaintiff's shift.

27. On or about March 19, 2021, Plaintiff observed feces smeared on the wall inside the bathroom and reported this despicable conduct to his supervisor, Mr. Holdsworth. Mr. Holdsworth failed to take any remedial action against this conduct but told Plaintiff to clean the feces off the wall. Plaintiff reported this incident and all previous incidents to Superpac's Vice-President, Andrew Weir (Caucasian male). Mr. Weir told Plaintiff he would tell Faber about it.

28. On Monday, March 22, 2021, when Plaintiff came to work, he saw feces on the floor in the Shipping Men's bathroom. Plaintiff reported this incident to Mr. Burgos. Plaintiff also reported this incident by a text message to Faber that night, with pictures of the feces on the floor. Faber responded that she would get to the bottom of it.

29. On or about March 26, 2021, Plaintiff had a meeting with Faber and Dale Thomas (Caucasian male), Superpac's Maintenance Supervisor, where Plaintiff repeated that he felt these conducts happening only during his shift was racially motivated because it did not happen during Suspendgen's shift and he was being targeted.

30. At this meeting, Faber told Plaintiff that he was being too sensitive.

31. Plaintiff asked Faber and Thomas to change his shift, but they refused.

32. Plaintiff was also told at this meeting to stop taking picture evidence of these incidents, apparently to prevent Plaintiff from preserving evidence of his complaints.

33. On or about April 2 or 3, 2021, Plaintiff again observed smeared feces on the Cafeteria door, asked Dan Holdsworth to come and witness the incident and then sent a text message to Faber advising her of yet another incident of this act. Faber did not text Plaintiff back, but called Plaintiff on a conference call with Mr. Holdsworth and told Plaintiff that she already discussed this matter with Plaintiff. Plaintiff told Faber that the incidents were still occurring and Superpac has failed to take remedial action to stop it from happening, but it never happens during Suspendgen's shift.

34. On April 27 and 28, 2021, Plaintiff sent text messages to Dale Thomas and Faber about the racially motivated hostile work environment he was being subjected to and that he was taking a "Stress day" and thought that he would have heard something from Superpac about a resolution to his complaints, but hadn't.

35. Plaintiff took stress leave because of his disability and requested ADA accommodation.

36. On Friday, April 30, 2021, at 12:08 p.m., Faber sent Plaintiff a text message stating she would be calling Plaintiff at 1:00 p.m. and asked if Plaintiff would be available.

37. At about 1:00 p.m. on April 30, 2021, Faber called Plaintiff and told Plaintiff that he was “being laid off” and would be receiving the separation papers by FedEx the next day.

38. On Saturday, May 1, 2021, Plaintiff received correspondence from Faber terminating Plaintiff’s employment with Superpac, with a Separation Agreement and General Release document, requesting Plaintiff to release Superpac from any claims under Title VII, and other federal or state statutory claims.

39. Plaintiff asserts that he was subjected to racially motivated discrimination and hostile work environment because of his race by Defendants, and thereafter was subjected to retaliatory termination of his employment because he engaged in protected activities under Title VII, Section 1981, the ADA and PHRA.

IV

STATEMENT OF CLAIM

COUNT ONE- SECTION 1981 VIOLATION -RACE DISCRIMINATION
PLAINTIFF V. ALL DEFENDANTS

40. Plaintiff incorporates by reference all allegations alleged in paragraphs 1 through 39 above as if same were fully set forth at length herein.

41. The acts and conducts of Defendants as stated above where Plaintiff was subjected to racially motivated discriminatory actions, harassment and hostile work environment were violations of Section 1981 of the Civil Rights Act.

42. As a direct and proximate result of the said discriminatory practices of Defendants in violation of Section 1981 of the Civil Rights Act, Plaintiff has sustained loss of wages and earnings, loss of benefits, loss of back pay, as well as mental anguish, emotional distress, humiliation, and compensatory damages.

COUNT TWO – TITLE VII VIOLATION – Race Discrimination
Plaintiff v. Superpac, Inc.

43. Plaintiff incorporates by reference all allegations alleged in paragraphs one 1 through 42 as if the same were fully set forth at length herein.

44. The acts and conducts of the Defendant as stated above where Defendant discriminated against Plaintiff because of his race as to the conditions, benefits, privileges, and opportunities of employment were violations of Plaintiff's rights under the Civil Rights Act, Title VII.

45. The acts and conducts of the Defendant as stated above where Defendant subjected Plaintiff to racially motivated harassment and hostile work environment were violations of Plaintiff's rights under the Civil Rights Act, Title VII.

46. The acts and conducts of the Defendant as stated above where Defendant terminated Plaintiff's employment because of his race was a violation of Plaintiff's rights under the Civil Rights Act, Title VII.

47. As a direct and proximate result of the said discriminatory practices of the Defendant, Plaintiff sustained loss of wages and earnings, loss of benefits, loss of

back pay, loss of front pay, interest due therein as well as mental anguish, emotional distress, humiliation, and damages to reputation.

**COUNT THREE – ADA VIOLATION – Disability Discrimination
Plaintiff v. Defendants**

48. Plaintiff incorporates by reference all allegations alleged in paragraphs one 1 through 47 as if the same were fully set forth at length herein.

49. The acts and conducts of the Defendants as stated above where Defendants terminated Plaintiff and discriminated against Plaintiff because of his disabilities and also failed to accommodate Plaintiff's disabilities by denying him stress leave because of his disability, were violations of Plaintiff's rights under the Americans with Disability Act.

50. As a direct and proximate result of the said discriminatory practices of the Defendant, Plaintiff sustained loss of wages and earnings, loss of benefits, loss of back pay, loss of front pay, interest due therein as well as mental anguish, emotional distress, humiliation, and compensatory damages.

**COUNT FOUR – PHRA VIOLATION – Race and Disability Discrimination
Plaintiff v. Defendants**

51. Plaintiff incorporates by reference all allegations alleged in paragraphs one 1 through 50 as if the same were fully set forth at length herein.

52. The acts and conduct of the Defendants as stated above where Defendants discriminated against Plaintiff because of his race and disabilities and failed to accommodate Plaintiff's disabilities, were violations of Plaintiff's rights under the Pennsylvania Human Relations Act.

53. Defendant Faber aided and abetted Superpac's discrimination of Plaintiff because of his race and disabilities.

54. As a direct and proximate result of the said discriminatory practices of the Defendants, Plaintiff sustained loss of wages and earnings, loss of benefits, loss of back pay, loss of front pay, interest due therein as well as mental anguish, emotional distress, humiliation, and compensatory damages.

COUNT FIVE – TITLE VII VIOLATION –Retaliation
Plaintiff v. Superpac, Inc.

55. Plaintiff incorporates by reference all allegations alleged in paragraphs 1 through 54 as if the same were fully set forth at length herein.

56. The acts and conducts of the Defendant Superpac, Inc., through its officers, managers, directors, supervisors, employees and agents as stated above where Defendant subjected Plaintiff to retaliatory termination of his employment because he complained of violation of his rights under Title VII of the Civil Rights Act were violations of Plaintiff's rights under this statute.

57. As a direct and proximate result of the said retaliatory practices of the Defendant, Plaintiff sustained loss of wages and earnings, loss of benefits, loss of back pay, loss of front pay, interest due therein as well as mental anguish, emotional distress, humiliation, and compensatory damages.

COUNT SIX- SECTION 1981 VIOLATION – Retaliation
Plaintiff v. Defendants

58. Plaintiff incorporates by reference all allegations alleged in paragraphs 1 through 57 as if the same were fully set forth at length herein.

59. The acts and conducts of the Defendants as stated above where Defendants subjected Plaintiff to retaliatory adverse actions because he opposed and complained about race discrimination and conducts he reasonably believed to be racial harassment and hostile work environment were violations of Plaintiff's rights under Section 1981 of the Civil Rights Act.

60. As a direct and proximate result of the said retaliatory practices of the Defendant, Plaintiff sustained loss of wages and earnings, loss of benefits, loss of back pay, loss of front pay, interest due therein as well as mental anguish, emotional distress, humiliation, and compensatory damages.

COUNT SEVEN – ADA VIOLATION –Retaliation
Plaintiff v. Defendants

61. Plaintiff incorporates by reference all allegations alleged in paragraphs 1 through 60 as if the same were fully set forth at length herein.

62. The acts and conducts of the Defendants as stated above where Defendants subjected Plaintiff to retaliatory actions because he exercised his rights under the ADA were violations of Plaintiff's rights under the Americans with Disabilities Act.

63. As a direct and proximate result of the said retaliatory practices of the Defendants, Plaintiff sustained loss of wages and earnings, loss of benefits, loss of back pay, loss of front pay, interest due therein as well as mental anguish, emotional distress, humiliation, and compensatory damages.

**COUNT EIGHT- PHRA VIOLATION – Retaliation
Plaintiff v. Defendants**

64. Plaintiff incorporates by reference all allegations alleged in paragraphs 1 through 63 as if the same were fully set forth at length herein.

65. The acts and conducts of the Defendants as stated above where Defendants subjected Plaintiff to retaliatory adverse actions because he opposed and complained about race discriminatory practices and because he sought accommodation for his disabilities were violations of Plaintiff's rights under the Pennsylvania Human Relations Act.

66. Defendant Faber aided and abetted the retaliatory actions against Plaintiff by Defendant Superpac.

67. As a direct and proximate result of the said retaliatory practices of the Defendants, Plaintiff sustained loss of wages and earnings, loss of benefits, loss of

back pay, loss of front pay, interest due therein as well as mental anguish, emotional distress, humiliation, and compensatory damages.

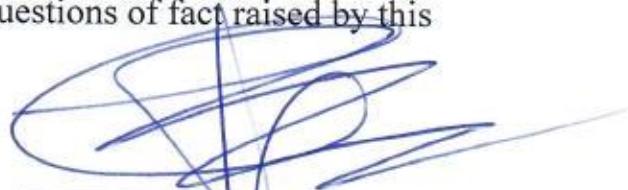
PRAYER FOR RELIEF

Wherefore, Plaintiff respectfully demands judgment against Defendants and request that this Honorable Court:

- A. Enter judgment against Defendants for back pay, front pay, loss of income, loss of benefits, pre and post judgment interests, costs of suit, compensatory damages, punitive damages, attorneys' fees and expert witness fees as permitted by law; and
- B. Award such other equitable relief, as the Court may deem necessary and just, including but not limited to an Order to make whole.

JURY TRIAL DEMAND

Plaintiff demands a jury trial on all questions of fact raised by this Complaint.



Olugbenga O. Abiona, Esquire
Attorney ID # 57026
P.O. Box 3326
Cherry Hill, NJ 08034
(215) 833-8227
Attorney for Plaintiff

Dated: May 2, 2022

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: **Mr. Shoun Randolph**
4936 North Broad Street Apt. 2
Philadelphia, PA 19141

From: **Philadelphia District Office**
801 Market St ,Suite 1000
Philadelphia ,Pennsylvania ,19107

EEOC Charge No.
530-2021-03281

EEOC Representative
Legal Unit

Telephone No.
(267) 589-9707

(See also the additional information enclosed with this form.)

NOTICE TO THE PERSON AGGRIEVED:

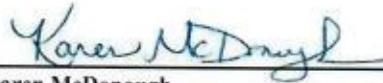
Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA): This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA **must be filed in a federal or state court WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

More than 180 days have passed since the filing of this charge.

The EEOC is terminating its processing of this charge.

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission


Karen McDonough,
Acting Director

2/15/22

(Date Mailed)

Enclosures(s)

cc: **William Catto**
Freeman Mathis & Gary, LLP
1600 MARKET ST STE 1210
Philadelphia, PA 19103